

# **Fiscal Services Division Legislative Services Agency Fiscal Note**

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HF 2508 - Theft (LSB 6170HV)

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Fiscal Note Version - New

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## **Description**

House File 2508 provides for the criminal offense of theft of personal property that is leased or rented. The Bill provides that failure to return or make arrangements to return personal property within ten days after expiration of the lease or rental agreement is material evidence of the intent to deprive the owner. The Bill provides that failure to return or make arrangements to return a motor vehicle within 72 hours after expiration of the lease or rental agreement is material evidence of the intent to deprive the owner. Current law provides a graduated system of penalties for theft, ranging from a simple misdemeanor to a Class C felony, depending on the value of the property.

## **Assumptions**

1. According to the Justice Data Warehouse, there were 14,910 convictions for theft during FY 2003. Information concerning how many of these convictions were for theft from retailers is not available.
2. Enhancing existing penalties increases the demand for resources in the criminal justice system. This includes costs in the Judicial Branch, Community-Based Corrections (CBC), the State prison system, and indigent defense.

## **Correctional Impact**

There is no readily available information to predict the increased number of enhanced convictions under the Bill. The impact on correctional resources may be significant.

## **Fiscal Impact**

The fiscal impact of HF 2508 cannot be determined due to insufficient information.

The State's increased costs for one conviction under HF 2508 is:

- Simple misdemeanor conviction ranges from \$14 to \$300.
- Serious misdemeanor conviction ranges from \$100 to \$5,000.
- Aggravated misdemeanor conviction ranges from \$1,100 to \$5,000.
- Class D felony conviction ranges from \$2,000 to \$8,000.
- Class C felony conviction ranges from \$3,000 to \$11,000.

The cost for a conviction of a serious or aggravated misdemeanor and a Class D or C felony will be incurred over multiple fiscal years as the offender serves time in the correctional system. The costs stated above include the Judicial Branch holding a trial; indigent defense; and supervision while on probation, parole, or prison, if applicable.

**Sources**

Department of Human Rights, Criminal and Juvenile Justice Planning Division  
Department of Corrections  
Judicial Branch  
Office of the State Public Defender

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Dennis C Prouty

March 9, 2004

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The fiscal note and correctional impact statement for this bill was prepared pursuant to Joint Rule 17 and pursuant to Section 2.56, Code of Iowa. Data used in developing this fiscal note and correctional impact statement are available from the Fiscal Services Division, Legislative Services Agency to members of the Legislature upon request.

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